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OFFICE OF PETITIONS

In re Application of
Ronald John Rosenberger
Application No. 10/822,051
Filed: April 10, 2004
Attorney Docket No.

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 12, 2007, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 41.20(b)(2)) within the time period provided in 37 CFR 41.37(a)(1). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed July 28, 2006, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 41.37(b). As no claim was allowed, the application became abandoned on September 29, 2006. See MPEP 1215.04.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an appeal brief and fee; (2) the petition fee of \$750; and (3) an adequate statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3210.

This matter is being forwarded to Technology Center AU 3728 for further processing.

Irvin Dingle
Petition Examiner
Office of Petitions